



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,853	10/24/2001	Scott C. Harris	DIY-Internet/SCH	9828
23844	7590	12/21/2007	EXAMINER	
SCOTT C HARRIS			BARQADLE, YASIN M	
P O BOX 927649			ART UNIT	PAPER NUMBER
SAN DIEGO, CA 92192			2153	
			MAIL DATE	DELIVERY MODE
			12/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

88
SUPPLEMENTAL

Office Action Summary

Application No.

09/682,853

Applicant(s)

HARRIS, SCOTT C.

Examiner

Yasin M. Barqadle

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08/14/2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-10, 13, 14, 16-21 and 23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-10, 13, 14, 16-21 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

- Claims 1-3, 5-10 and 13-14, 16-21 and 23 are presented for examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 9 recites the limitation "said first recipient" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time

the application was filed, had possession of the claimed invention. Examiner could not find the limitation of "using variable information from said results without using formatting information from said results, to from raw information." in the applicant's original specification.

Claims 9, 17 and 21 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Examiner could not find the limitation of "where said format display information, includes only the variable portions from the results received from said Internet web site, but does not include other portions of the information received from said internet website" or its equivalence in the applicant's original specification.

5. Claims 16 and 19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not

described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Examiner could not find the limitation of "using said one of said templates based on said kind of request, so that a first request always uses a first template, and a second request always uses a second template different than said first template" or its equivalence in the applicant's original specification.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitation of ""using variable information from said results without using formatting information from said results, to from raw information.", because it attempts to claim the invention by excluding what the inventors did not invent

rather than distinctly and particularly pointing out what they did invent. See *In re Schechter*, 205 F.2d 185, 98 USPQ 144 (CCPA 1953).

Claims 9, 17 and 21 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitation of "where said format display information, includes only the variable portions from the results received from said Internet web site, but does not include other portions of the information received from said internet website", because it attempts to claim the invention by excluding what the inventors did not invent rather than distinctly and particularly pointing out what they did invent. See *In re Schechter*, 205 F.2d 185, 98 USPQ 144 (CCPA 1953).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5-7 and 13-14, 17-18, 20-21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brett et al US. PUB (6023685) in view of Steele et al US PUB (20020046084).

As per claims 1, 5, 9, 17 and 21 Brett teaches et al teach a method (abstract), comprising:

 sending a request for information from an interactive device (Fig. 1, terminals 14) to a first server (Fig. 1, 12);
 at said first server (fig. 1, 12), using information from said request to query an information (col. 7, lines 51-67);
 receiving results from querying said source of information col. 7, lines 51-67); using variable information from said results without using formatting information from said results, to form raw information (col. 8, lines 37-64);

 storing at least one template, where the template includes a form that includes non variable textual information that stays constant every time said template is used, and open portions for said variable information that changes based on said results received from said source of information (col. 10, lines 23-40 and figs 10-11), where said non variable information contains a textual description associated with said variable information, and wherein said template includes an arrangement that arranges said non variable information and said variable information;

using said raw information to fill in said open portions on said template (col. 10, lines 23-40 and figs 10-11. See also figs 5a to 7); and

displaying said template, with said information filled therein, on said interactive device (col. 10, lines 23-40 and figs 5 to 6).

Although Brett shows substantial features of the claimed invention, he does not explicitly show querying a source of information within a second Internet based server. Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Brett, as evidenced by Steele et al USPN. (20020046084).

In analogous art, Steele et al whose invention is about a configurable multimedia information system that supports electronic commerce, disclose querying a source of information within a second Internet based server [page 9, paragraphs 0129-0134]. Giving the teaching of Steele et al, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Brett by employing the system of Steele et al in order to provide users beneficial up-to-date

information that is consistent with their preference of services and products.

As per claim 2, Brett teaches the method as in claim 1, wherein said sending comprises sending one of multiple different kinds of requests to said first server, each different kind of request operative to request a different type of information, said storing stores multiple different templates, and said using comprises selecting one of said templates that corresponds to one of said kinds of requests, and using said one of said templates for displaying said results (abstract; col. 10, lines 23-40 and figs 10-11. See also figs 5a to 7).

As per claim 3, 13 and 14 Brett teaches the invention, wherein said using variable portions comprises changing said information from an HTML format into a text format, using only a portion of said another format (col. 7 lines 39-58 and col. 10, lines 23-40).

As per claim 5, Brett teaches method as in claim 2, further comprising sending a request from said first server to said interactive device, requesting said interactive device to

identify more information about a specific query to be made to said request to query a publicly accessible source of information, wherein said interactive device also stores personal information associated with a user of the interactive device, and wherein said sending comprises sending a request for information which includes some of said personal information (col. 7 lines 39-58 and col. 10, lines 23-40).

As per claim 6 and 18, Brett teaches method as in claim 5, wherein said personal information which is sent includes logon information and a password (col. 6, lines 50-65).

As per claim 7, Brett teaches method as in claim 2, wherein said kind of information is an indication to purchase a product, and said template is a template to obtain variables to allow purchase of the product (col. 6, lines 29-65).

5. Claims 8, 10, 16 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brett and Steele in view of Rajan et al USPN (6633910).

As per claim 8, although Brett and Steele et al show substantial features of the claimed invention, they do not explicitly show Bank balance stored in a prestored template. Nonetheless, this feature is well known in the art and would have been an obvious modification of the system disclosed by Brett and Steele et al, as evidenced by Rajan et al (6633910). In analogous art, Rajan et al whose invention is about a system that allows virtually any Internet-based data to be accessed, restructured and then transmitted to wide variety of network-capable appliances, discloses a unique capability of restructuring data and converting it from one format to a format specific to applications executable on a receiving device where an algorithm is employed that can take information from provided input data-templates and restructure the information to fit pre-designed and associated output data-templates that is stored in a storage facility for requesting user [col. 7, lines 56-64 and col. 8, lines 55-65]. Giving the teaching of Rajan et al, a person of ordinary skill in the art would have readily recognized the desirability and the advantage of modifying Brett and Steele et al by employing the system of Rajan et al in order to facilitate the format in which requested data is expected to

be found and to enhance the support of different formats and applications.

Rajan further teaches a template allowing entry of variables from raw information to fill in bank balance information [Col. 13, lines 44-63 and col. 15, lines 50 and 62].

As per claim 10, Brett and Steele et al teach a method as in claim 2, wherein said reformatting comprises reformatting said information into an XML form [col. 8, lines 15-24].

As per claims 16 and 19, Rajan teaches wherein said using to form a formatted display comprises filling the variable information into a template, wherein said sending comprises sending one of multiple different kinds of requests to said first server, further comprising storing multiple different templates, and said using comprises selecting one of said templates that corresponds to one of said kinds of requests, and using said one of said templates based on said kind of request, so that a first request always uses a first template, and a second request always uses a second template different than said first template also receives (Col. 9, lines 2-60 and col. 11, lines 6-54).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or public PAIR system. Status information for unpublished applications is available

Application/Control Number:
09/682,853
Art Unit: 2153

Page 13

through private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YB

Art Unit 2153

J. Barak
[Signature]